

# IDAHO ELECTRICAL BOARD MEETING

Thursday – February 21, 2008 – 9:00 A.M.

**Division of Building Safety  
Board Conference Room  
1090 East Watertower Street  
Meridian, ID 83642**

*NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.*

The meeting was called to order by Chairman Tom Brown at 9:04 a.m. on Thursday, February 21, 2008.

## **Board Members Present:**

Tom Brown, Chairman  
Mark LaBolle  
Tim Phillips  
Troy Mortensen  
Lee Riley  
Bob Scott  
Al Frieze  
Jeff Wheeler  
Kreg Davis

## **DBS Staff Members:**

C. Kelly Pearce, Administrator  
Steve Keys, Deputy Administrator, Operations  
Kirk Weiskircher, Financial Specialist, Principal  
Jeff Fitzloff, Electrical Bureau Chief  
Al Caine, Licensing & Compliance Manager  
Bill Hatch, Public Information Officer  
Roger Gabel, Deputy Attorney General  
Brandee Pasborg, Office Specialist 2  
Renee Bryant, Administrative Assistant 2  
Rob Foster, Electrical Plans Examiner  
Scott Richter, Electrical Inspector Supervisor  
Chris Jensen, Consultation and Outreach Advisor  
Office Services Staff

State Electrical Inspector Norm Hanks was remembered.

Chairman Tom Brown welcomed Troy Mortensen, Specialty Contractor, to the Board.

Dale Pippitt was recognized with a plaque for his many years of distinguished service on the Board.

## ♦ **Open Forum**

Chairman Brown prefers addressing the audience's concerns/suggestions at the time the agenda items are presented.

## ♦ **Approval of the February 21, 2008 Agenda**

Al Caine requested items ten, "Contractor's Exam" and 16, "Specialty Sign Electricians", both draft administrative rules, be moved from the "Informational" to the "Action" agenda. The Board unanimously agreed.

♦ **Approval of the October 25, 2007 Board Meeting Minutes**

**MOTION:** Tim Phillips moved to approve the October 25, 2007 Board Meeting Minutes. Al Frieze seconded. All in favor, motion carried.

♦ **Financial Report**

Kelly Pearce introduced Kirk Weiskircher as the Division's new Financial Specialist, Principal.

Mr. Weiskircher reviewed the Financial Report. Graphs showing the trends of the Bureau's expenditures/revenues are being created and will be included in future reports.

**MOTION:** Mark LaBolle moved to accept the Financial Report. Lee Riley seconded. All in favor, motion carried.

♦ **Exam Summary Report**

Al Caine reviewed the reports.

**ACTION:** Al Caine to look into the reason ISU's journeyman exam numbers has dropped the last couple of years.

**MOTION:** Kreg Davis made a motion to accept the Exam Summary Report. Tim Phillips seconded. All in favor, motion carried.

♦ **Request for Administrative Appeals Hearing**

Justin O. Jones – NOV ELE-492 - Neither Mr. Jones, nor representative for Mr. Jones, was present for his scheduled appeals hearings; therefore, abandoning his appeal. Deputy Attorney General Roger Gabel's recommendation to the Board was for him to draft a letter to Mr. Jones stating his appeal was abandoned and the penalty stood as issued.

**MOTION:** Lee Riley made a motion to abandon the appeal. Bob Scott seconded. All in favor, motion carried.

**ACTION:** Roger Gabel to send Mr. Jones a letter informing him of the outcome of his hearing.

♦ **Contractor's Exam**

A concern of the Board has been the ease of the contractor exam. After several meetings and a workshop, it was suggested increasing the pass rate on the exam from 70 to 75 percent.

**MOTION:** Kreg Davis made a motion to accept the pending rule, increasing the pass rate from 70 to 75 percent as the minimum percentage to pass the contractor exam. Bob Scott seconded. All in favor, motion carried.

♦ **Specialty Sign Electricians**

Al Caine presented the Specialty Sign Council's proposed changes to IDAPA 07.01.04.02. Additional language was added to coincide with the title of that chapter in the National Electrical Code (NEC), as well as to install or repair pole mounted luminaries.

Members of the sign industry were not opposed to deleting the verbiage on pole mount luminaries from the proposed changes presented at the meeting.

**MOTION:** Kreg Davis made a motion to disapprove the proposed language. Troy Mortensen seconded. All in favor. Motion carried.

**ACTION:** The sign industry to re-write their proposal; meeting with DBS staff and bringing their new proposal to the May 15, 2008 Electrical Board meeting.

◆ **Compliance Reports (Notice of Violations & Civil Penalties)**

The Notice of Violation Legend (violation codes), civil penalties and warning letter reports were addressed.

Unlicensed electricians are soliciting their services on a website called “Craig’s List”. The Agency has posted the license requirements on that site. The Board recommended the Bureau create a draft rule making it illegal for unlicensed individuals to advertise for work that requires a license.

**ACTION:** At the May 15, 2008 meeting, the Bureau to bring back a draft rule in which it would be illegal for unlicensed electricians to advertise for work requiring a license.

◆ **Continuing Education with Washington**

Washington is not accepting 2008 code updates until after July 2008. Concerns arose among individuals with Washington and Idaho licenses. Any 2008 code classes taken in Idaho, prior to July 2008, can be counted as industry related.

The Division has suspended the approval of all on-line continuing education courses due to a flyer circulating offering answers to those courses. Suspension notices have been sent to surrounding states, continuing education providers, as well as posted in the Division’s lobby, on their website and included with their March renewals.

**ACTION:** Kreg Davis to post the Division’s “Suspension Notice” at his supply house.

◆ **Oregon Reciprocity**

A revised reciprocity agreement has been sent to Oregon for their review. The revision removes the master to general supervisor; maintaining it on a journeyman level.

◆ **Apprentice Supervision**

A letter requesting leniency be granted to the apprentice constant-on-the-job supervision requirement was addressed.

Al Caine presented a list of active/suspended apprentices in the three licensing bureaus. The list assists field staff in recognizing suspended licensees on job sites. Licensees with a suspended license must leave the site and field staff is to generate NOVs.

**MOTION:** Kreg Davis made a motion to reject the request for the appeal on the code requirement. Jeff Wheeler seconded. All in favor, motion carried.

◆ **Apprentice Competency Exams**

The Sub-Committee has identified a common apprenticeship curriculum among DBS' licensing bureaus. A lengthy discussion developed as to whether competency exams or practical exams are the solution for skills testing. The Board was polled and it was agreed the Sub-Committee to pursue competency testing as a pilot program.

◆ **Swimming Pool Procedures**

A PowerPoint presentation demonstrating the pool construction process and the feasibility of pool contractors performing bonding, running underground conduits and pulling cords for underwater lights was made by Scott Pahl of Custom Pools.

The Board is not in favor of an additional specialty license for pool contractors.

Jeff Fitzloff, in association with IAEI, will teach an eight hour continuing education class on swimming pool installations. The class will be held the end of April at the Red Lion Downtowner in Boise, Idaho.

Service Technicians should pursue a Well Driller/Pump Installer Electrical license to legally work on pumps, filters, heaters, etc.

◆ **Schooling (Update)**

Burton Waite, PTE, held a meeting in January with the six technical schools to discuss the possibility of increasing lab experience in their programs. Those representatives, as well as Al Caine, reviewed the new Electrical Apprentice Placement Procedures.

**ACTION:** At the May meeting, Burton Waite to present the Electrical Apprentice Placement Procedures.

◆ **Electronic Communications Systems (Update)**

A working "open" meeting was held the evening of Wednesday, February 20, 2008. Members of the Electrical Board, representatives of the Electronic Communications Systems, DBS staff and industry were in attendance.

At the Board meeting, a lengthy debate ensued regarding the Electronic Communications Systems' request for two seats on the Electrical Board.

Mark Norviel will address the Electrical Board's concerns with the Electronic Communications Systems Board and Coalition. Several Electrical Board Members expressed their support in attending Mr. Norviel's meeting. Deputy Attorney General Roger Gabel reiterated the definition of a quorum.

**MOTION:** Kreg Davis made a motion to move agenda item 14, Electronic Communications Systems (Update), from the "Informational" to the "Action" agenda. Tim Phillips seconded. Seven ayes and one opposed. Motion carried.

**MOTION:** Kreg Davis made a motion that for now, the Board recommends that Troy Mortensen is adequate to represent the telecommunications industry for this legislative season. Bob Scott seconded. The Board was polled: Al Frieze-aye, Bob Scott-aye, Tim Phillips-nay, Mark LaBolle-nay, Kreg Davis-aye, Lee Riley-nay, Jeff Wheeler-aye and Troy Mortensen-aye. Five ayes and three nays. Motion carried.

◆ **Property Owner Classes**

The Bureau is researching into the development of a Property Owner Education class. Property owners would have the option to partake in the class prior to purchasing their permit(s). Educating property owners should drastically diminish inspector's time spent coaching them through their jobs.

◆ **Bureau Chief's Report**

A study conducted from July 1, 2006 to December 31, 2007 shows the issuance of electrical permits have decreased, statewide, to 76 percent.

Jeff Fitzloff is meeting with inspectors and their jurisdictions to promote consistency in the enforcement of the NEC. He is assisting in the roll-out of the agency's new CAS software program. To promote DBS, the Bureau has participated in a safety festival in Boise, Idaho and will meet with contractor organizations and building code officials.

◆ **Legislative Report**

The adoption of the NEC rule cleared the House Business Committee. House Bill 475, five year apprenticeship registration and three year specialty trainee registration, will be heard in the House Business Committee.

◆ **Administrator's Report**

Rule-Making Process - House Leadership introduced a bill restricting the rule-making abilities of Boards and Agencies. If this bill were to pass, it would require future rule-making to always be accomplished through negotiated rule-making process, unless unfeasible.

Residential Building Trade – The construction economy is stronger in urban areas, however; the State is seeing declines. Upon comparing the Division reports with Wells Fargo Bank reports, the State is approximately 15 percent ahead of what the industry is on a statewide basis.

Budget – The Division presented a maintenance budget to Legislature; a decrease of 1.9 percent over what the legislature allocated the past fiscal year.

Vehicle Replacement – Division vehicles are being replaced with all-wheel-drive Ford Escape Hybrids and Subaru Foresters. The Subaru gets between 22-25 mpg and the Ford gets between 30-32 mpg.

Contract Inspectors – The Agency was given an opportunity to create a pilot program on contract inspectors. After extensive research, the Division feels it is impractical to proceed due to the cost of liability insurance required of potential contractors.

Public Service Announcements – Bill Hatch presented the Plumbing Board’s PSA. It has been distributed to radio stations throughout Idaho. If the Board desires, the agency will create a PSA for the electrical industry.

Newsletter – The next edition of newsletter to be distributed in April 2008. Suggestions and/or contributions are welcome.

Customer Access System – CAS, the Agency’s electronic program, is well under way. The Agency anticipates testing the system the end of May or first of June, with the system fully on-line in the fall of 2008.

♦ **New/Old Business**

Future Meeting – The next Board meeting to be held on Thursday, May 15<sup>th</sup> in Pocatello.

Board Room Reconfiguration – Chairman Brown thanked Administrator Pearce for the new layout of the Board Room. If industry participation continues to expand, the Division will need to look at other accommodations.

**MOTION:** Mark LaBolle made a motion to adjourn the meeting at 4:37 p.m. Kreg Davis seconded. All in favor, motion carried.

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TOM BROWN, CHAIRMAN  
ELECTRICAL BOARD

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C. KELLY PEARCE, ADMINISTRATOR  
DIVISION OF BUILDING SAFETY

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